

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ABEL CRUZ,

Defendant.

Case No. CR 22-179 LK

DETENTION ORDER

Mr. Cruz is charged with conspiracy to distribute controlled substances, 21 U.S.C. § 841(b)(1)(A). The Court held a detention hearing on November 7, 2022, pursuant to 18 U.S.C. § 3142(f), and based upon the reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. There is a rebuttable presumption of detention pursuant to 18 U.S.C. § 3142(e). The Court finds the presumption has not been rebutted.
2. Mr. Cruz poses a risk of nonappearance due to a number of aliases, prior bench warrants, and failure to abide by court orders. Mr. Cruz has only been in the community for two years and during that time pleaded guilty to state charges for controlled substance violations. Mr. Cruz poses a risk of danger due to the nature

1 of the instant offense. Based on these findings, and for the reasons stated on the  
2 record, there does not appear to be any condition or combination of conditions that  
3 will reasonably assure Mr. Cruz's appearance at future court hearings while  
4 addressing the danger to other persons or the community.

- 5 3. Taken as a whole, the record does not effectively rebut the presumption that no  
6 condition or combination of conditions will reasonably assure the appearance of  
7 Mr. Cruz as required and the safety of the community.

8 IT IS THEREFORE ORDERED:

- 9 (1) Mr. Cruz shall be detained pending trial, and committed to the custody of the  
10 Attorney General for confinement in a correction facility separate, to the extent  
11 practicable, from persons awaiting or serving sentences or being held in custody  
12 pending appeal;
- 13 (2) Mr. Cruz shall be afforded reasonable opportunity for private consultation with  
14 counsel;
- 15 (3) On order of a court of the United States or on request of an attorney for the  
16 government, the person in charge of the corrections facility in which Mr. Cruz is  
17 confined shall deliver him to a United States Marshal for the purpose of an  
18 appearance in connection with a court proceeding; and
- 19 (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
20 counsel for Mr. Cruz, to the United States Marshal, and to the United States  
21 Pretrial Services Officer.  
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1 Dated this 7th day of November, 2022.

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3 MICHELLE L. PETERSON  
4 United States Magistrate Judge  
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